



The Regular Meeting of the
Brian Head Town Council Acting
Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
www.Zoom.us (Click Here)

Via Zoom Meeting ID# 818 9737 5520

TUESDAY, DECEMBER 10, 2024 @ 1:00 PM

AGENDA

- A. CALL TO ORDER**
- B. PLEDGE ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES:** November 12, 2024, Town Council Meeting.
- E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.
- F. AGENDA ITEMS:**
 - 1. PLANNING COMMISSION APPOINTMENT.** Bret Howser, Town Manager. THE COUNCIL WILL GIVE THEIR ADVICE AND CONSENT FOR THE REAPPOINTMENT OF JEFF MORGAN FOR A 5-YEAR TERM ON THE PLANNING COMMISSION.
 - 2. PRESENTATION OF THE PROTEST PERIOD RESULTS FOR THE 2024-3 (275 EAST) SPECIAL ASSESSMENT AREA.** Shane Williamson, Town Treasurer. The Council will receive the protest results for the 275 East SAA.
 - 3. CONSTRUCTION MITIGATION ADMINISTRATIVE POLICY.** BRET HOWSER, TOWN MANAGER. THE COUNCIL WILL CONSIDER A POLICY FOR CONSTRUCTION MITIGATION.
 - 4. FISCAL YEAR 2025 CONSOLIDATED FEE SCHEDULE AMENDMENT.** BRET HOWSER, TOWN MANAGER. THE COUNCIL WILL CONSIDER A RESOLUTION AMENDING THE FY2025 CONSOLIDATED FEE SCHEDULE.
 - 5. 2025 TOWN COUNCIL MEETING SCHEDULE APPROVAL.** NANCY LEIGH, TOWN CLERK. THE COUNCIL WILL APPROVE THEIR 2025 MEETING SCHEDULE.
 - 6. FUTURE AGENDA ITEMS.** The Council will discuss potential items for future agendas.
- G. ADJOURNMENT**

Date: November 6, 2024

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the public board may participate by means of electronic communications. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda at the following conspicuous locations: the Post Office, The Mall, and the Brian Head Town Hall and have posted copies on the Utah Meeting Notice Website and the Brian Head Town website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk



Brian Head Town Council Update

December 1, 2024

Marshal's Office:

Ski season is off and seems to be in full swing even with only part of the resort open. Deputies have been busy with traffic/ motorist assistance, fire inspections, and medicals as numbers of people have increased in town. Weather is always a huge factor, and we had some wet storms that turned roads to ice causing a lot of challenges in and around town. Our STR's are anxious to come into compliance as they approach their busy seasons, and snow conditions create some added injuries on the slopes.

With affordable passes at the resort, we see a different clientele. This presents a different type of challenge. Deputies have had to deal with Las Vegas gang members coming up and causing alarm to other guests and resort employees. As the season goes on, we believe this will slow down and we will have our common clientele and issues back. Gang violence is a culture that travels and on occasion we must be able to recognize our situation and change tactics. This is always a concern of the marshal's office.

On the last day of the month, we had a young skier (7 YOM) struck by another skier on the slopes. This victim was unconscious for a few minutes and was eventually air lifted to St. George Hospital. He is now out of the hospital having suffered a severe concussion. It is an inherent risk when skiing that you may strike a tree, a permanent object or even another skier. We try and advise the public of these inherent risks. But often we have victims who want to pursue charges. We are then tasked with explaining that there are no criminal charges that relate to incidents involving inherent risks when skiing. Our state legislature has written a law that describes these inherent risks.

We are taking a few calls regarding stolen skis. Often when we find the suspect it is a simple issue of just grabbing the wrong skis as they leave or go out skiing. We can prove this misunderstanding by showing the victim that the suspects actual skis are still sitting near the location of the skis that were taken. But there are those criminals who see an opportunity to steal skis, and they take it. We try and educate the public on locking or putting their skis in a ski check location. But few people utilize these resources.

November has been a month for us to take time and meet with our department's Clinical Therapist. Each member of our Marshal's office sat down for a visit with Stuart Palmer who is a licensed Clinical Therapist. He has 20 years in law enforcement before retiring to become a mental health therapist. He specializes in visiting and training those who serve in public safety. We are thankful for the programs that we now have in place to assist us with the mental challenges we face as public safety providers. Stuart also provided us with training on how to work with and recognizing people who are suffering from a mental illness or who find themselves in a mental health crisis. We are making huge strides in law enforcement to better recognize mental health issues and deal with them appropriately.

Total Incidents= 97

Fire Inspections- 25

Citizen/ Motorist Assist- 32

Medicals- 14

911/Alarms- 3

Theft- 2

Paper Service- 2

Lost and Found- 2

Fraud- 1

Animal Problem- 1

Suspicious- 1

Burglary- 1

Civil- 1

Traffic Accident- 3

Traffic Hazard/Issue- 2

Assault- 2

Trespassing- 1

Burglary- 1

Fire Department:

Happy Thanksgiving! The fire department being led by Bob Goldhirsh and Dean Clark, was able to pull off our annual Thanksgiving Dinner. This has become a tradition on the Tuesday before Thanksgiving. The target is to provide a full thanksgiving dinner to those citizens and employees of Brian Head who often find themselves working on thanksgiving, providing services to our guests and residents. The dinner was a great success, and we fed over 75 people.

We also attended a combined training in Paragonah that covered mental health issues as it relates to fire personnel. This training was for firefighters and their spouses. I was happily surprised with how well attended this voluntary training was. Numerous firefighters brought their spouses and reported that it was beneficial to both. This training was sponsored by the Utah Fire and Rescue Academy and was very well presented. I am happy as an administrator that so many are serious about taking care of their mental health while serving as public servants in the fire service.

We are excited to finally get our new SCBA Air Compressor installed and put into service. We have already put it into use and have over 8 hours of time on it. We have had for over 6 years SCBA's capable of filling to 4500 psi but have only been able to get them to about 3000 psi. We now have our air bottles filled to their capacity. This provides an extended time for firefighters as they work "on air" to suppress fires in smoke fill or inhalation hazard environments.





BRIAN HEAD

PUBLIC WORKS DEPARTMENT UPDATE

December 5th, 2024

Public Works continues to work on planning and preparation for the snow season. The Groundwater conference will be attended by the Public Works Director week of 12/9/2024

The following are updates on the projects assigned to us, as well as self-identified projects.

STREETS

- Plowing continues as needed.
- The crew continues to haul salt in preparation for snow season.
- Snow markers are being repaired and replaced throughout town. (ongoing)
- Snow push back on going in preparation for next storm.

WATER

- Staff continues to monitor the water system.
- Meters continue to be replaced/repared throughout the system. (ongoing)

SEWER

- Staff continues to monitor the sewer system.
- Low flow issue resolved. Blockage in section from Navajo to hwy.

PARKS & TRAILS

- Snow removal on trail as needed.

EQUIPMENT

- Work continues to prep and maintain snow removal equipment.
- Chains have been installed on snow removal equipment. (repaired as needed).



BRIAN HEAD

PUBLIC WORKS DEPARTMENT UPDATE

December 5th, 2024

PUBLIC WORKS SHOP

- Broken glass has been replaced on bay doors.
- Bay door #4 motor has been replaced; Bay door #1 motor will be replaced by 12/31/24.

IN-HOUSE PROJECTS

Public works will continue to work on in-house projects and maintain buildings and equipment as needed. If you have any questions or concerns, please do not hesitate to call.



STAFF REPORT TO THE TOWN COUNCIL

ITEM: PLANNING COMMISSION APPOINTMENT

AUTHOR: Bret Howser, Town Manager
DEPARTMENT: Administration
DATE: December 10, 2024
TYPE OF ITEM: Administrative Action

SUMMARY:

The Town Manager recommends the re-appointment of Jeff Morgan as a full member of the Planning Commission with a term expiring on Dec 31, 2029. Council should advise and consent.

BACKGROUND/ANALYSIS:

Commissioner Jeff Morgan has served the past five years as a Planning Commissioner, and most recently as the Vice Chair of the Commission. His first term expires at the end of this calendar year. He has expressed an interest in continuing that service, and as continuity and experience are valued by the Town, I recommend his reappointment.

The Town posted a vacancy for the planning commission in November, and we received interest from two individuals. While the other applicant is also well-qualified, and we hope to involve him in the future, I believe that having Jeff's experience and continuity will be important to the Town in the coming year, particularly in light of having several relatively new Planning Commissioners.

If Council consents, the makeup of the Planning Commission would be as follows:

- Carrie Dever, 3rd Term, Dec 2028
- Sherrie Brown, 1st Full Term, Dec 2027
- Doug Deutschlander, 5th Term, Appointment ends Dec 2026
- Cecile Wallis, 1st Full Term, Dec 2025
- Jeff Morgan, 2nd Term, Dec 2029
- Rachelle Lee, 1st Term, Dec 2025

FINANCIAL IMPLICATIONS:

N/A

BOARD/COMMISSION RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

The Town Manager recommends the re-appointment of Jeff Morgan as a full member of the Planning Commission for the term ending Dec 31, 2029.

PROPOSED MOTION:

I move to consent to the appointment of Jeff Morgan as a full member of the Planning Commission for the term ending Dec 31, 2029.

ATTACHMENTS:

N/A



BRIAN HEAD

STAFF REPORT TO THE TOWN COUNCIL

ITEM: PRESENTATION OF THE PROTEST PERIOD RESULTS FOR THE 2024-03 (275 EAST) SPECIAL ASSESSMENT AREA

AUTHOR: Shane Williamson, Town Treasurer
DEPARTMENT: Administration
DATE: December 10, 2024
TYPE OF ITEM: Informational

SUMMARY:

The Council will review the results of the 60-day protest period for the 275 East Special Assessment Area (SAA).

BACKGROUND:

The Town Council reviewed and accepted a petition to create a Special Assessment area in the 275 East area in August 2024. Subsequently, the Town Council adopted resolutions for the intent to create the SAA in September 2024. The adoption of this resolution initiated the official 60-day protest period beginning on October 8, 2024, and ending on December 9, 2024.

ANALYSIS:

As part of state law requirements, a public hearing is to be held on October 8, 2024, which officially kicked off the 60-day protest period. Each parcel owner received a letter in the mail detailing the protest requirements. The deadline for protests was December 9, 2024. As per state law requirements, if the Town receives 40% written protests, then the SAA automatically fails. Each parcel is allowed one protest. That said, the following are the results of the protest period:

Brian Head Town Special Tax Assessment Area 2024-03 (275 East)

Protest Period Summary

The proposed Brian Head Town Special Tax Assessment 2024-03 (275 East) solicited written protests from parcel owners within the area for a period of 60 days, ranging from October 8, 2024, through December 9, 2024. A public meeting will be held on December 10, 2024 at 1:00 PM MST in the Brian Head Town Council Chambers to review the following protests results:

21 lots total in the area, with 2 (two) protests received, totaling 9.5% of the area.

The next steps in the process are to have the parcels appraised to ensure that the areas meet the 4x coverage requirement (meaning, an assessment of \$30k would require the lot to appraise for \$120k to meet the requirement). Once these appraisals are received, the Town Council will consider the adoption of a resolution that will officially create the Special Assessment Areas. The goal is to have this done in January.

FINANCIAL IMPLICATIONS:

The public hearing has no direct financial implications itself. However, if the SAA proceeds, the Town will issue bonds for the projects which will be backed by assessments placed on each parcel.

BOARD/COMMISSION RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

N/A

PROPOSED MOTION:

No motion. Informational only.

ATTACHMENTS:

A – Protest Letters

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

October 5, 2024

Brian Head Town
PO Box 190068
Brian Head, UT 84719

Re: Protest of 275 E Assessment Area
Parcel #A-1211-0117-0000

To Whom It May Concern,

Please accept this letter as our formal objection to the 275 East Assessment Area designation and our being assessed for the proposed improvements affecting our above-referenced property.

This proposed assessment represents approximately 70% of the raw land value of each property in the area, which is excessive. In addition, this assessment is also approximately \$9,000 more than the Elk Drive property assessments, which also seem excessive, and significantly more than the approximately \$9,600 Snowshoe/Toboggan area assessments that, as I understand it, are being subsidized by the city (and our property taxes). This shows that, in addition to being excessive, the 275 East proposed assessments are not equitable with other special assessments for similar improvements within in the city.

This proposed assessment would also disproportionately benefit those owners of vacant land who are planning to either develop or sell their properties. Owners such as us who have owned and used our properties for decades would see little benefit to correspond with the proposed assessments. If water line installation is required, the costs for such should be charged through impact/connection fees to those who will benefit from such improvements – those wishing to develop their properties who are required to connect to the water system.

Please do not impose this significant financial burden on us or others who will not receive a corresponding benefit from the proposed improvements.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

October 5, 2024

Brian Head Town
PO Box 190068
Brian Head, UT 84719

Re: Protest of 275 E Assessment Area
Parcel #A-1211-0115-0000

To Whom It May Concern,

Please accept this letter as my formal objection to the 275 East Assessment Area designation and my being assessed for the proposed improvements affecting my above-referenced property.

This proposed assessment represents approximately 70% of the raw land value of each property in the area, which is excessive. In addition, this assessment is also approximately \$9,000 more than the Elk Drive property assessments, which also seem excessive, and significantly more than the approximately \$9,600 Snowshoe/Toboggan area assessments that, as I understand it, are being subsidized by the city (and my property taxes). This shows that, in addition to being excessive, the 275 East proposed assessments are not equitable with other special assessments for similar improvements within in the city.

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Please do not impose this significant financial burden on me or others who will not receive a significant benefit from the proposed improvements.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]



STAFF REPORT TO THE TOWN COUNCIL

ITEM: CONSTRUCTION MITIGATION ADMIN POLICY

AUTHOR: Bret Howser, Town Manager/Greg Sant, Planning Administrator
DEPARTMENT: Admin
DATE: December 10, 2024
TYPE OF ITEM: Administrative Direction

SUMMARY:

Staff is proposing an administrative policy dealing with mitigating construction impacts and allowing for temporary storage of materials in the Town of right-of-way. The council will give direction and may choose to ratify the proposed policy.

BACKGROUND:

Earlier this summer, the Town was approached by a couple of local builders who asked that we re-evaluate our position when it comes to allowing storage of building material and parking construction equipment/vehicles in the right-of-way (particularly in the winter). The Town Council asked the staff to work with the builders to try and find a consensus to bring back to the Council. Staff has done so, and the attached policy represents the outcome of those conversations.

ANALYSIS:

The proposed policy is an *administrative* policy, as opposed to a legislative policy. We are not changing the Town code or any of the requirements contained in the Land Mgt Code. We are simply clarifying how these are being administered. While administrative is exclusively the province of the Town Manager (per our form of government) and designated staff, Brian Head Town has a successful history of the legislative body and administrative staff working together to find administrative approaches that properly reflect legislative intent. This is very much the case with this proposed construction mitigation admin policy. Staff feels this draws a best-fit line between the public interest in keeping rights-of-way clear and the builders' needs for completing projects in a reasonable fashion. We are looking for Council's agreement and support via a ratification of the proposed administrative policy.

The policy would accomplish the following:

- Allow private use (including winter use) of the public right-of-way adjacent to the subject property for a one-time fee of \$1,500, and spells out requirements to protect snow removal operations
- Require a site-plan showing the undisturbed areas and potential staging areas (which we acknowledge may change throughout the course of the project), including the areas of right-of-way which may be used for staging
- Requires temporary fencing to protect undisturbed areas, as well as toilet facilities, wash out areas, and contact info signage
- Lays out penalties for violation

FINANCIAL IMPLICATIONS:

There will be some additional revenue related to the fee for ROW usage. The town assumes some risk for equipment damage by allowing construction material to be in the roadway in the winter

during snow removal operations. Our hope is that the associated fees will offset any actual costs incurred.

BOARD/COMMISSION RECOMMENDATION:

This policy is the product of the work of a sort-of ad-hoc committee of Town staff and local builders

STAFF RECOMMENDATION:

The attached policy represents staff's recommendation

PROPOSED MOTION:

I move to ratify the proposed Construction Mitigation Policy and to direct staff to move forward with implementation of the policy

ATTACHMENTS:

A – Construction Mitigation Policy (CMP)

Construction Mitigation Plan (CMP)

It is proposed that a new Administrative Policy be adopted to incorporate CMP's as follows:

1. A **separate** site plan will be submitted with the permit that would show the following:
 - A. Limits of Disturbance (LOD) and the Undisturbed area well defined.
 - B. *Potential* locations for vehicle parking, material storage/staging, dumpsters, toilet facilities, wash-out areas, dirt and snow storage areas. These locations may be in the R.O.W. shoulder.
 - C. The CMP should be reviewed by Planning/Building as well as Public Safety and Public Works.
2. Enforcement, penalties and fines would revise our Consolidated Fee Schedule as follows:
 - A. 1st Violation – No Charge with a deadline to be fixed within 5 days.
2nd Violation - \$500 with a deadline to be fixed within 5 days.
3rd + Violations - \$1,000 with a deadline to be fixed within 5 days.
 - B. Egregious Violations can be given a Class A misdemeanor Citation by Public Safety and the fine will be determined by the Court.
3. As part of **all** permit processing, the Applicant will be Notified of the following Acknowledgements:

PROPOSED ACKNOWLEDGMENT FOR ALL PERMITS

As a Builder, Developer or Owner I acknowledge the following:

1. A temporary LOD fence is required to be installed around the limits of the disturbance area to protect the proposed undisturbed land on the property.
2. A construction sign is required for all projects with the following info:
 - A. Contractor Name with permit address and lot number of the building site as well as the contractor phone number.
 - B. Sign will be 24"X36" in size and placed so that it is visible and readable from the street. The sign characters must contrast with its background and be not less than 4 inches in height with a width of not less than ½ inch.
 - C. The sign will not be left up for more than 12 months following the completion of the project (issuance of the CO).
3. The shoulder of the Right-of-Way (R.O.W.) in front of the subject lot can be used for parking construction vehicles, trash dumpsters and material staging areas. However, rebar is never allowed in the R.O.W. Roadways and Cul-d-sacs must always remain clear for emergency vehicles.
4. Toilet facilities, wash-out areas, excess dirt and site snow must be kept onsite. Toilets must be staked so they do not blow over. Each site must have a wash-out area for concrete, stucco, drywall mud and paint.
5. A building lot or site must always be maintained in a clean and safe condition.
6. Furthermore, all activities that will block 1 or more lanes of the road for 60 minutes or more will be required to apply for a R.O.W. permit with the Town and provide a traffic control plan for the date and time of closure.
7. Brian Head Town is not responsible for or liable for any damage to vehicle, materials or equipment stored or left in the R.O.W.

PROPOSED ACKNOWLEDGEMENTS FOR WINTER R.O.W. CONSTRUCTION PERMITS

1. All the acknowledgements above.
2. If Builder, Developer or Owner will be building during the winter season (11/1 to 4/30), they must apply for a Winter R.O.W. Construction Permit for their project. The permit is paid one time for the duration of the project on a specific lot/site no matter how many winters the project is active.
3. The proposed Winter ROW Construction Permit fee is \$1,500 to \$2,000.
4. Property Corners in front of the lot need to be in place and always marked with Snow Posts. Furthermore, all equipment parking and material storage areas must be marked with Snow Posts.
5. The contractor is responsible for all snow clearing on the subject lot as well as the R.O.W. that will be used for material storage and parking. Said snow cannot be put into the roadway.



STAFF REPORT TO THE TOWN COUNCIL

ITEM: CONSOLIDATED FEE SCHEDULE UPDATE

AUTHOR: Bret Howser, Town Manager
DEPARTMENT: Admin
DATE: December 10, 2024
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will consider a resolution amending the Consolidated Fee Schedule, specifically to incorporate updated impact fees previously adopted by the Council as well as newly proposed fees for right-of-way construction storage and construction mitigation infractions.

BACKGROUND/ANALYSIS:

The Town Council adopted revised impact fees in August 2024. State statute requires a 90-day period between adoption and implementation of the fees. This waiting period has passed, and the Council may now adopt the fees.

The Town Council will discuss a proposed construction mitigation policy on Dec 10. If ratified, there are fees associated with this policy that would need to be included in the fee schedule.

The attached resolution would update impact fees as follows:

- Water Impact Fee - \$5,530.49 per residential unit (based on meter size for non-residential)
- Sewer Impact Fee - \$1,810.89 per residential unit (based on meter size for non-residential)
 - \$5,651.33 for the Snowshoe & Toboggan service area

The attached resolution would also add the following new fees:

- Construction Right-of-way storage fee: \$1,500
- Construction Mitigation Plan violations:
 - \$500 for 2nd offense
 - \$1000 for 3rd+ offense

FINANCIAL IMPLICATIONS:

Implications of the revised impact fees have been discussed at length in previous reports. In summary, the Town must update the fees by statute about every six years. The proposed fees are not dramatically different from what was previously adopted, with the exception of a new impact fee specifically for the Snowshoe/Toboggan sewer line.

BOARD/COMMISSION RECOMMENDATION:

The Council has previously adopted the proposed impact fee analysis and resolution. The fees are simply taking a delayed effect, per statute, and may now be put in the fee schedule.

STAFF RECOMMENDATION:

Staff recommend adoption of the attached resolution updating the fee schedule.

PROPOSED MOTION:

I move to adopt resolution number 24-553 amending the Consolidated Fee Schedule, as presented.

ATTACHMENTS:

A – Fee Schedule Resolution



RESOLUTION NO. 24-

A RESOLUTION AMENDING THE FISCAL YEAR 2025 CONSOLIDATED FEE SCHEDULE FOR THE TOWN OF BRIAN HEAD, UTAH, AND PROVIDING FOR AN EFFECTIVE DATE OF DECEMBER 10, 2024.

WHEREAS, the Town of Brian Head assesses fees for various zoning procedures, building permits, and other administrative permits, utilities, and services provided in the Brian Head Code, and other codes adopted by Brian Head Town; and

WHEREAS, the Town Council adopts the Fiscal Year Consolidated Fee Schedule by resolution after the fiscal year budget has been adopted by the Town Council; and,

WHEREAS, the Town Council adopted Water and Sewer Impact Fees in September 2024 in which the Town must wait for a 90-day period before the Town can lawfully assess the updated Impact Fees; and,

WHEREAS, the Town Council adopts the Consolidated Fee Schedule by resolution, from time to time, for all fees provided for or required under Brian Head Town Ordinances into a single document to facilitate more efficient administration and access of the various fees for the public.

NOW, THEREFORE, BE IT RESOLVED, by the Brian Head Town Council that the "Consolidated Fee Schedule", is hereby adopted with changes identified in **red font**, and updated to be implemented by the Brian Head Town staff forthwith as the Consolidated Fee Scheduled for Fiscal Year 2025.

BE IT FURTHER RESOLVED this Resolution and associated fees shall have an effective date of December 10, 2024.

PASSED AND ADOPTED by the Brian Head Town Council this _____ day of December 2024, by the following vote.

Town Council Vote

Mayor Clayton Calloway
Council Member Mitch Ricks
Council Member Kelly Marshall
Council Member Martin Tidwell
Council Member Larry Freeberg

Aye_____	Nay-----
Aye_____	Nay-----
Aye_____	Nay-----
Aye_____	Nay-----
Aye_____	Nay-----

BRIAN HEAD TOWN

Clayton Calloway, Mayor

ATTEST:

Nancy Leigh, Town Clerk

(SEAL)



BRIAN HEAD TOWN
CONSOLIDATED FEE SCHEDULE
Fiscal Year 2025
Effective Date: July 1, 2024

Land Use Fees

General Plan Amendment	\$1,000/Application
Zoning Amendment	\$1,000/Application
Special Assessment Area (SAA)	\$1,000/Application
Building Concept Review	\$100 Application / \$50.00 Small Bldg. Application
Conditional Use	\$400
Amended Conditional Use Permit	\$200
Variance	\$400
Subdivision/PUD Infrastructure	1% of Engineer's infrastructure costs.
Subdivision/PUD Schematic	\$500/Application
Subdivision/PUD Preliminary Plat	\$1000 application fee
Subdivision/PUD Final Plat	\$500 application fee
Plat Amendment w/ Public Hearing	\$500 application fee
Plat Amendment w/out Public Hearing	\$250 application fee
Subdivision by Metes & Bounds	\$500 application fee
Minor Subdivision (Parcel Split)	\$250 application fee

(Additional mailing costs may be applied if application fee is exceeded)

Development Agreement \$5,000 Down payment to be applied to actual cost incurred by Town staff to prepare and/or present agreement. A positive balance must be maintained or work on agreement will cease.

Annexation Petition \$1000, plus cost associated w/ feasibility impact, infrastructure & admin analysis.

Planning Commission Special Meeting \$500

Trenching and Grading Permit

For each single street cut (utility trenching) \$100

For Single Family Residential \$350

For All Other Zones \$600

*Verification as licensed contractor, \$5,000 bond and \$1,000,000 insurance policy with Town as additional insured must be on file with Brian Head Town for any work in any public right-of-way or connection to Town sewer or water mains or grading permit issued prior to an associated building permit.

(Additional bond requirement may be applied based on size, scope, and complexity of the project.)

Logging/Tree Removal Permit

Individual Trees for Safety/Fire No Fee

Residential \$25

Construction \$100/Application

Commercial Logging \$500/Application

Burn Permit \$10 Residential / \$100 Commercial

Sign Permit, Permanent \$50/Application

Sign Permit, Temporary (*Banner*) No Charge

Construction ROW Storage Permit \$1,500

Administrative Code Violations

1st Violation Notice & Reinspection No Charge



2nd Violation or Recurrence (a) \$100 fine & \$50 per day of continuing violation for the 14 days immediately following notice of violation and \$100 per day thereafter; or

(b) any higher penalty amount otherwise provided by Town Code

Repeat Inspection Fee \$50

3rd Violation or Recurrence Citation / To Be Determined by Court

Construction Mitigation Plan Violations:

- 1st Violation – No Charge with a deadline to be fixed within 5 days
- 2nd Violation - \$500 with a deadline to be fixed within 5 days
- 3rd + Violations - \$1,000 with a deadline to be fixed within 5 days

Egregious Violations may be issued an immediate citation.

Licensing Fees

Business Licenses:	\$108 / New Business Application
	\$62 / Renewal of Business License
	\$10.00 / Door-to-Door Solicitation Employee Permit
	\$50.00 / Sexually Oriented Employee Permit
	\$200.00 / Sexually Oriented Business
\$151 / New Nightly Rental, Application includes 1 unit	
	\$122 / Renewal Nightly Rental Application includes 1 unit
\$32 / Additional Nightly Rental Unit New	
\$26 / Additional Nightly Rental Unit Renewal	
Nightly Rental Disproportionate Fee	\$298 per cabin
	\$108 per condominium unit
No Charge for Special Event Vendor	
Dog License	\$10 Neutered / \$20 Non-neutered
Alcohol License, Initial	\$100
Alcohol License, Renewal	\$50

Publications

Land Management Code	\$30.00 bound copy
General Plan	\$20.00 bound copy
Public Works Construction Manual	\$30.00 bound copy
Maps	\$0.25 for 11"x17" black/white copy
	\$0.50 for 11"x17" color copy
	\$0.50 for photocopy
	\$35 for Small Map
	\$60 for Large Map

Administrative Fees

NSF Check	\$25/Returned Check
Copies	\$0.05 per B/W Copy
	\$0.10 per Color Copy
Faxes	\$0.10 per page for outgoing faxes
	\$0.10 per page for incoming faxes
GRAMMA Request	determined on an individual basis per UCA 63-2-203.

Inspection Fees

One-time Building Inspection	\$75
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Re-inspection Fee for building	\$50
Nightly Rental Fire Inspection	\$30
Commercial Business Fire Inspection schedule)	\$50 (this fee was inadvertently removed from a previous fee

Bonds (Refundable)

Subdivision Completion Bonds	125% of Engineers Cost to Complete
Building Permit Cleanup Bond	\$1,000
Grading & Landscaping Bond	\$2,500
(Additional bond requirement may be applied based on size, scope, and complexity of the project.)	

Building Permit Fees

VALUATIONS

1. New Construction \$150/sq ft
2. Unfinished basements \$50/sq ft
3. Decks, Porches, and Carports \$25/sq ft
4. Remodeling: Value determined by the contractor and approved by the Building and Planning Official to reflect the cost of work for code related items.
5. Valuations may be modified by the Building Official when evidence supports raising or lowering the valuation due to circumstances outside the norm or specifically mentioned above.

Building Permit Calculation Table

TOTAL VALUATION	FEE
\$1 to \$500	\$24
\$501 to \$2,000	\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, to and including \$2,000.
\$2,001 to \$40,000	\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, to and including \$40,000.
\$40,001 to \$100,000	\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
\$1,000,001 and over	\$6,387 for the first \$1,000,000; plus \$4 for each additional \$1,000 or fraction thereof.

Plan Review & Other Applicable Fees

Plan Review	65% of Building Permit fee
Utah State Fee	1% of Building Permit fee

Impact Fees

**Water****~~\$5,250.88~~ x Conversion Factor****a. Single-family residence - \$5,530.49****b. Multi-family development - \$5,530.49 per residential unit****c. All other development based on meter size:**

Size of Meter (in)	AWWA Capacity Ratios	Impact Fee
<u>3/4 (or smaller)</u>	<u>1</u>	<u>\$5,530.49</u>
<u>1</u>	<u>1.67</u>	<u>\$9,235.92</u>
<u>1.5</u>	<u>3.33</u>	<u>\$18,416.53</u>
<u>2</u>	<u>5.33</u>	<u>\$29,477.51</u>
<u>3</u>	<u>11.67</u>	<u>\$64,540.82</u>
<u>4</u>	<u>20</u>	<u>\$110,609.80</u>
<u>6</u>	<u>41.67</u>	<u>\$230,455.52</u>
<u>8</u>	<u>60</u>	<u>\$331,829.40</u>
<u>10</u>	<u>96.67</u>	<u>\$534,632.47</u>
<u>12</u>	<u>143.33</u>	<u>\$792,685.13</u>

Sewer**~~\$1,096.91~~ x Conversion Factor****a. For the Town-Wide Service Area:****i. Single-family residence - \$1,810.89****ii. Multi-family development - \$1,810.89 per residential unit****iii. All other development based on water meter size:**

Size of Meter (in)	AWWA Capacity Ratios	Impact Fee
<u>3/4 (or smaller)</u>	<u>1</u>	<u>\$1,810.89</u>
<u>1</u>	<u>1.67</u>	<u>\$3,024.19</u>
<u>1.5</u>	<u>3.33</u>	<u>\$6,030.26</u>
<u>2</u>	<u>5.33</u>	<u>\$9,652.04</u>
<u>3</u>	<u>11.67</u>	<u>\$21,133.09</u>
<u>4</u>	<u>20</u>	<u>\$36,217.80</u>
<u>6</u>	<u>41.67</u>	<u>\$75,459.79</u>
<u>8</u>	<u>60</u>	<u>\$108,653.40</u>
<u>10</u>	<u>96.67</u>	<u>\$175,058.74</u>
<u>12</u>	<u>143.33</u>	<u>\$259,554.86</u>

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b. For the Snowshoe & Toboggan Service Area:

i. Single-family residence - \$5,651.33

ii. Multi-family development - \$5,651.33 per residential unit

iii. All other development based on water meter size:

Size of Meter (in)	AWWA Capacity Ratios	Impact Fee
<u>3/4 (or smaller)</u>	<u>1</u>	<u>\$5,651.33</u>
<u>1</u>	<u>1.67</u>	<u>\$9,437.72</u>
<u>1.5</u>	<u>3.33</u>	<u>\$18,818.93</u>
<u>2</u>	<u>5.33</u>	<u>\$30,121.59</u>
<u>3</u>	<u>11.67</u>	<u>\$65,951.02</u>
<u>4</u>	<u>20</u>	<u>\$113,026.60</u>
<u>6</u>	<u>41.67</u>	<u>\$235,490.92</u>
<u>8</u>	<u>60</u>	<u>\$339,079.80</u>
<u>10</u>	<u>96.67</u>	<u>\$546,314.07</u>
<u>12</u>	<u>143.33</u>	<u>\$810,005.13</u>

Public Safety **\$153.00 x Conversion Factor**

**Individuals who extend water or sewer lines may qualify for an impact fee reduction equal to their incurred costs for the extension, up to the full amount of the impact fee, with verification of submitted construction costs.

IMPACT FEE CONVERSION FACTOR

Single Family/Condo	1 ERC
All Others	Per Actual Fixture Unit Calculations

*One ERC (Equivalent Residential Connection) is equivalent to 24 water fixture units as calculated in Table 604.3 of the 2006 International Plumbing Code, and 20 drainage fixture units as calculated in Table 709.1 of the 2009 International Plumbing Code.

Connection Fees

Water

Residential:



¾" Meter: \$705
1" Meter: \$800

Town Provides Meter, MXU and Inspection.

Contractor Provides barrel, curb-stop, corp-stop and installation per Town Public Works Standards.

Commercial:

¾" Meter: \$705
1" Meter: \$800
2" Meter: \$1,710
3" Meter: \$2,000
4" Meter: \$3,385
6" Meter: \$5,660
8" Meter: 9,230

Town provides meter, MXU, hot tap, and inspection.

Contractor provides saddle, vault, and all associated materials per Brian Head Public Works Standards.

Inspection services by Town, Street opening & closing by separate permit.

Sewer \$350

Utility Service Fees

Water	Monthly Base Rate/Demand Charge
Residential .5 ERC ¹	\$42.00
Residential 1ERC ²	\$84.00
Commercial	\$166.00
Commercial Business in a Multi-family complex ³	\$166.00

¹One Half (.5) ERC- A single unit (regardless of ownership) consisting of (1) room, intended for temporary living and sleeping purposes and including a separate, exclusive bathroom and food storage, preparation and serving accommodations consisting of not more than a single bowl sink, a refrigerator of not more than 5 cubic feet, and an electrical outlet which may be used for a microwave oven. Water consumption for this type of unit will be calculated at .5 of an ERC with a maximum calculated consumption of 2500 gallons per unit per month.

²Full ERC (1), Residential Unit, Dwelling Unit, or Condo Unit- A single unit providing completely independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Water consumption for this type of unit will be calculated at 1ERC with a maximum calculated consumption of 5000 gallons per unit per month.

³Where a commercial business shares a water meter within a multi-family residential or hotel project, and installing a separate commercial meter is not feasible, the Town shall calculate estimated monthly water consumption for the commercial business based on comparable businesses (in Brian Head or other communities) and bill that amount in addition to the base monthly charge.

Residential (Single Family, Condo, Townhouses)

Base Rate includes 5,000-gallon allowance.

Above 5,001 but less than 10,000 gallons	\$3.79/K-gal
Above 10,001 gallons but less than 15,000 gallons	\$4.57/K-gal
Above 15,001 gallons but less than 20,000 gallons	\$5.30/K-gal
Above 20,001 gallons	\$12.56/K-gal
Monthly rate for disconnected Service (5/8", ¾", 1")	\$60.50

Commercial Uses ⁴

Base Rate includes 10,000-gallon allowance.



10,001 to 150,000 gallons	\$4.57/K-gal
Above 150,000 gallons	\$5.30/K-gal
Monthly rate for disconnected Service	\$121

Construction Water

Monthly hydrant meter rental	\$125 p/month
Deposit for hydrant meter rental	\$1,500
Water rate for water used	\$10.25 K-gal
Penalty for missed monthly inspection/reading	\$100

Bulk Water

\$100/K-gal	Non-Resident
\$75/K-gal	Resident

⁴Where a commercial business is located within a multi-family residential or hotel project, and installing a separate commercial meter is not feasible, the Town shall calculate estimated monthly water consumption for the commercial business based on comparable businesses (in Brian Head or other communities) and bill that amount in addition to the base monthly charge. The monthly utility bill shall be calculated by adding the base allowance (5,000 gal for 1 ERC, 2,500 gal for .5 ERC) use for each unit in the building and subtracting that from the total water meter reading. The remainder (if there is any) shall be charged using the commercial water rate table.

Example #1: 50-unit condo with a shared meter commercial facility having 30,000 gallon and a meter reading of 300,000 gallons of water.
50 ERC X 5,000 gallons= 250,000 gallons
300,000 gallon meter read – 250,000= 50,000 gallon remainder.
50,000 remainder – 10,000 credits for commercial allowance = 40, 000 gallon excess use
40,000 gallon excess use x 4.57 per thousand gallons= \$182.80.

Resulting Bill: 50 ERC x \$84.00 =	\$4200
Commercial Base Fee=	\$166.00
Excess Water Use=	\$182.80
Total=	\$4,548.80

Example #2: 50 unit condo with a shared meter commercial facility having 30,000 gallon and a meter reading of 230,000 gallons of water.
50 ERC X 5,000 gallons= 250,000 gallons
230,000 gallon meter read – 250,000= -20,000 gallon remainder.
Where the remainder is a negative there is no overage charge

Resulting Bill: 50 ERC x \$84.00 =	\$4200.
Commercial Base Fee =	\$166.00
Total =	\$4,366

Sewer	Monthly Base Rate/Demand Charge
Residential .5 ERC	\$22.50 per month
Residential 1ERC	\$45.00 plus 60% of water overuse charge
Commercial	60% of water bill
Commercial Business in a Multi-family complex	60% of water bill after residential use is subtracted

Monthly rate for disconnected service for single family house \$36.50
Monthly rate for disconnected commercial service \$76.00

Trash	
Residential (.5 and 1 ERC)/Office	\$12.00
Residential/Office Recycle Fee	\$0
Retail	\$81.00



Restaurant/Lounge	\$110.00
Commercial Recycle Fee	\$0

**	Late Penalty	5% / month
	Reconnect Fee	\$100
	Disconnect Fee	\$100
	Meter Re-read	\$50

Additional Solid Waste Service Fees:

Construction Debris	\$250 per dumpster
Refuse (Appliances, Furniture & Similar materials)	\$50 per appliance/mattress, etc.
Blocked Dumpster:	\$100 per dumpster
Spilled Garbage left outside dumpster:	\$100 per dumpster.

Special Events/Building Rentals

**Special fees or exceptions may be granted by Administration for local non-profit organizations or civic functions. Additional fees may be charged if there are special needs or setup/takedown.*

Town Hall Rental	\$150 p/day – Council Chambers \$75 for half day up to four hours \$50 p/day – Conference Room \$25 for half day up to four hours – Conference Room \$25 p/day – Kitchen \$15 for half day up to four hours - Kitchen \$250 Refundable Deposit
Public Safety Building Rental	\$200 p/day – Large Multi-Purpose Room \$100 for half day up to four hours – multi-Purpose Room \$100 p/day – Small Conference Room \$50 for half day up to four hours – Conference Room \$25 p/day – Kitchen \$15 for half day up to four hours - Kitchen \$250 Refundable Deposit
Town Pavilion Rental	\$50 per day \$25 for half day up to four (4) hours
Trail Restoration	Actual Costs to restore trail.
Fire Station Tables	\$5 per table
Police Officer	\$50 p/hr.
Police Officer with Vehicle	\$120 p/hr.
Traffic Cone rental	\$0.50 per day per cone minimum \$10.00
Traffic Warning sign rental	\$15 per day per sign
Traffic Cone/Sign drop off	\$120 after hours.
Garbage Dumpster	\$125 plus after hour costs if applicable
Motor Grader	\$177 per hour w/operator
Dump Truck	\$125 per hour w/operator
Dump Truck w/plow and sander	\$175 per hour w/operator



Loader w/operator	\$150 per hour
P/W employee	\$55 per hour
P/W employee w/pick up	\$120 per hour.

Miscellaneous Town Code Violations:

Alarm System Violation	\$50
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STAFF REPORT TO THE TOWN COUNCIL

ITEM: 2025 TOWN COUNCIL MEETING SCHEDULE

AUTHOR: Nancy Leigh, Town Clerk
DEPARTMENT: Administration
DATE: December 10, 2024
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will review and approve the 2025 Town Council Meeting Schedule.

BACKGROUND:

As per Utah State Code §10-3-502, the legislative body is required to adopt its annual meeting schedule. Once the meeting schedule is approved, it is then posted on the Public Meeting Website, submitted to a newspaper of general circulation, posted at the anchor location, and will also be posted on the Town's website.

In December 2019, the Council adopted ordinance No. 19-015 identifying the following meeting days, time, and location, it also allowed the Council to approve the annual meeting schedule by motion without having to adopt an ordinance annually:

The meeting dates/location are as follows (Ord. 19-015):

- Council meetings are scheduled for the 2nd and 4th Tuesday of each month except for November and December where one meeting on the second Tuesday of the month is identified.
- Meetings begin at 1:00 pm or shortly thereafter.
- The meeting anchor location is the Brian Head Town Hall Council Chambers located at 56 North Highway 143, Brian Head, UT 84719

Since the Council also acts as the governing body for the Redevelopment Agency, Municipal Building Authority, Special Service District, these meetings will be held when needed and posted accordingly.

ANALYSIS:

The 2025 calendar is attached showing the proposed council meeting dates of the 2nd and 4th Tuesday (identified in green). The only holiday that is in conflict with a regular meeting date is Veteran's Day on November 11, 2025. Whereas there is only one meeting in November, the Council will need to decide whether to cancel the meeting altogether or move the meeting to Wednesday. The only thing is that there is only one meeting scheduled for November 2025 due to the Thanksgiving Holiday.

The Council can approve the 2025 meeting schedule as proposed or can choose to make any changes to the meeting dates for the 2025 meeting schedule. If the Council chooses to make changes to the 2nd and 4th Tuesdays, the start time of 1:00 pm. or change the anchor location, then these changes would require an ordinance to be presented to the Council to adopt and would need to be tabled until an ordinance is presented.

FINANCIAL IMPLICATIONS:

N/A

BOARD/COMMISSION RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends the Council approve the meeting schedule as presented.

PROPOSED MOTION:

I move to approve the 2025 Town Council meeting schedule as presented (if any changes, please identify the changes specifically)

ATTACHMENTS:

A – 2025 Meeting Calendar.



2025 Brian Head Town Council Meeting Schedule

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
29	30	31	1	2	3	4	26	27	28	29	30	31	1	23	24	25	26	27	28	1
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22
26	27	28	29	30	31	1	23	24	25	26	27	28	1	23	24	25	26	27	28	29
														30	31	1	2	3	4	5
April							May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
30	31	1	2	3	4	5	27	28	29	30	1	2	3	1	2	3	4	5	6	7
6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
27	28	29	30	1	2	3	25	26	27	28	29	30	31	29	30	1	2	3	4	5
July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
29	30	1	2	3	4	5	27	28	29	30	31	1	2	31	1	2	3	4	5	6
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27
27	28	29	30	31	1	2	24	25	26	27	28	29	30	28	29	30	1	2	3	4
							31	1	2	3	4	5	6							
October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4	26	27	28	29	30	31	1	30	1	2	3	4	5	6
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
26	27	28	29	30	31	1	23	24	25	26	27	28	29	28	29	30	31	1	2	3
							30	1	2	3	4	5	6							

Holidays and common observances are circled in red.

1 Jan.	New Year's Day
20 Jan.	Birthday of Martin Luther King, Jr.
17 Feb.	Washington's Birthday (Presidents' Day)
20 Apr.	Easter

26 May	Memorial Day
19 June	Juneteenth
4 July	Independence Day
1 Sept.	Labor Day

13 Oct.	Columbus Day
11 Nov.	Veterans Day
27 Nov.	Thanksgiving Day
25 Dec.	Christmas